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PROCEDURES FOR PRODUCT CONFORMITY ASSESSMENT IN MEXICO

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(Document submitted by the delegation of Mexico)

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WHAT IS A PRODUCT PEC [1]

CONTENTS

1. Introduction

Provided below is a brief and simple explanation for persons unfamiliar with the terms and work done in connection with technical standardization of telecommunications and who wish to become informed about the code developed by the Federal Telecommunication Commission (COFETEL) entitled:

[1] "Product PEC" is an abbreviated reference to "*Procedures for Assessment of the Conformity of Products Subject to Compliance with Mexican Official Standards within the Competence of the Secretariat of Communications and Transportation through the Federal Telecommunications Commission,"* published on August 11, 2005, in the *Diario Oficial de la Federación*: an entity of the Constitutional Government of the United Mexican States.

"Procedures for Assessment of the Conformity of Products Subject to Compliance with Mexican Official Standards within the Competence of the Secretariat of Communications and Transportation through the Federal Telecommunications Commission,"

hereinafter "**product PEC**," published in the *Diario Oficial de la Federación* on August 11, 2005, which may be consulted at the following Internet address:

http://www.cft.gob.mx/cofetel/html/9_publica/indcrono/CFT08111.pdf

First, we should know what a product NOM is.

2. What is a "product NOM"?

A Mexican Official Standard for telecommunication products (hereinafter: "**product NOM**") is:

A document issued by COFETEL, of a mandatory nature, which establishes the characteristics and/or specifications that apparata, equipment, or devices must mandatorily have to protect general communication channels and ensure the safety of users and their access to public telecommunication networks or services.

3. How are general communication channels protected by product NOMs?

- By preventing technical damage to public telecommunication networks
- By preventing technical interference with public telecommunication services, or the deterioration of such services
- By preventing electromagnetic interference and ensuring compatibility with other users of the electromagnetic spectrum

4. What are "product PECs"? What product PECs are now conducted?

Product PECs are procedures used to determine compliance with product NOMs.

The product PECs that COFETEL conducts are:

- Certification with type testing and surveillance
- Certification with product family type testing and surveillance
- Lot certification

5. What are product PECs used for?

- To establish clearly and transparently how compliance with a product NOM is to be determined, thereby providing legal certainty for those who must comply with them

- To achieve the objectives of technical standardization of products (and its inherent benefits) set out in sections 2 and 3 of this document

- To combat unlawful commerce and, therefore, unfair competition by distributors or marketers of pirate equipment or contraband

- To enhance national technological assimilation and innovation capability

- To promote the creation and consolidation of national specialized technical infrastructure, both metrological and for conformity assessment

- To obtain quantified indicators of compliance with mandatory technical telecommunication provisions

- To reduce the time equipment certification and homologation takes and to raise the quality thereof

- To harmonize, as appropriate, Mexican mandatory technical provisions with our main trading partners and to establish mutually agreed conditions that make it possible to conclude agreements for mutual recognition (MRAs) of results of conformity assessment that facilitate equitable international trading practices

If standards and procedures to assess conformity are not in place, MRAs would be concluded only for those countries with such standards and procedures. They would then be agreements agreed unilaterally for such countries rather than mutually agreed.

6. What is product certification?

The procedure used to ensure that a product complies with its applicable product NOMs.

To ensure that products comply with the applicable product NOMs, they are subject to tests conducted in laboratories approved or recognized by COFETEL.

7. Who may certify products?

- The certification bodies approved by COFETEL in each product NOM.

- COFETEL, when there are no approved certification bodies for a product NOM.

8. What is a type test?

The selection and laboratory testing of one or more products representative of a common design, utilizing identical materials subject to a common manufacturing process, in order to establish whether the product or products conform to relevant or pertinent requirements established in a product NOM.

9. **What is surveillance?**

A series of activities or conformity assessment procedures, such as: sampling, measurement, laboratory testing, visual examination, or review of documents to which products are subject, for which a certificate of conformity was granted, to determine their ongoing conformity with the conditions and requirements under which they were certified and, therefore, to maintain the effectiveness of the respective certificate of conformity.

10. What is certification with type testing and surveillance?

Certification of products of the same model and presented by an applicant, based on a type test and the effectiveness of whose corresponding certificate of conformity is subject to surveillance.

11. What is product family certification with type testing and surveillance?

Certification of products belonging to a single family and presented by an applicant, based on the selection and type testing of one or more elements of the family and the effectiveness of whose corresponding certificate of conformity is subject to surveillance.

12. What is a lot?

An identifiable series of products of the same model grouped together for a specific purpose.

13. What is lot certification?

Certification of products belonging to a lot and presented by an applicant, based on the sampling and testing in an (accredited and approved or recognized) laboratory of one or more products representative of the lot.

14. To whom would product PECs apply?

- Initially, to the individuals formally established in Mexico who manufacture, import, market, distribute, or lease, for the national market, products subject to compliance with six product NOMs (083, 084, 088/1, 088/2, 151, and 152).

NOTE: For the titles of these product NOMs, see the **Annex** to this document.

- At later stages, the individuals formally established in Mexico who manufacture, import, market, distribute, or lease, for the national market, products subject to compliance with such other product NOMs as may have come into force whose text indicates that product PECs will be conducted to assess their conformity.

NOTE: Product NOMs are now being developed for cellular, PCS, and spread spectrum telephony technology.

15. What certification method would be used?

The method used to obtain the certificate of conformity will be that chosen by the party concerned in accordance with his or her own conditions and convenience.

- The *certification with type testing and surveillance* method may be chosen when the party concerned plans to import, market, distribute, lease, or manufacture multiple lots of the model to be certified.

- The *certification with product family type testing and surveillance* method may be chosen when the party concerned plans to import, market, distribute, lease, or manufacture multiple lots of the models constituting the family of products to be certified.

- The *lot certification* method may be chosen when the party concerned plans to import, market, distribute, lease, or manufacture only one lot of the model to be certified.

16. When will the product PECs come into effect?

The product PECs will come into force 60 calendar days from the date of their publication in the *Diario Oficial de la Federación* (DOF: August 11, 2005), that is, on October 10, 2005.

ANNEX

MEXICAN OFFICIAL STANDARDS FOR WHICH PRODUCT PECs WILL INITIALLY BE CONDUCTED

NOM-083-SCT1-2002, "Telecomunicaciones – Radiocomunicación – Especificaciones técnicas para los equipos transmisores utilizados en el servicio de radiolocalización móvil de personas de una vía." (DOF: April 16, 2003).

NOM-084-SCT1-2002, "Telecomunicaciones – Radiocomunicación – Especificaciones técnicas de los equipos transmisores destinados al servicio móvil de radiocomunicación especializada de flotillas." (DOF: April 17, 2003).

NOM-088/1-SCT1-2002, "Telecomunicaciones – Radiocomunicación – Equipos de microondas para sistemas del servicio fijo multicanal punto a punto y punto a multipunto – Parte 1: Radio acceso múltiple." (DOF: April 18, 2003).

NOM-088/2-SCT1-2002, "Telecomunicaciones – Radiocomunicación – Equipos de microondas para sistemas del servicio fijo multicanal punto a punto y punto a multipunto – Parte 2: Transporte." (DOF: April 21, 2003).

NOM-151-SCT1-1999, "Interfaz a redes públicas para equipos terminales." (DOF: September 20, 1999).

NOM-152-SCT1-1999, "Interfaz digital a redes públicas (interfaz digital a 2,048 kbits)." (DOF: September 20, 1999).

Note.- This is an initial list of Mexican Official Standards (NOMs), and will be updated as product NOMs come into force whose text indicates that product PECs will be applied to assess the conformity of the products within the scope thereof.